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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/589,538
Filing Date: August 16, 2006
Applicant: Klaus ABRAHAM-FUCHS et al.
Group Art Unit: 3686
Examiner: Edward B. Winston III
Title: METHOD FOR VERIFYING COMPLIANCE WITH A
PERFORMANCE SPECIFICATION ASSIGNED TO A
MEDICAL WORKING PRACTICE
Attorney Docket: 32860-001070/US

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop Amendment

January 12, 2011

STATEMENT UNDER 37 C.F.R. § 1.133(b)

Sir:

In response to the telephonic interview conducted on December 13, 2010 and the Interview Summary dated December 27, 2010, the following remarks are respectfully submitted in connection with the above-identified application.

Applicants wish to thank the Examiner for his time during the telephonic interview of December 13, 2010. During the interview, Applicants and the Examiner discussed the merits of claim 1 relative to evaluating data with the aid of the test criteria and determining a degree of compliance. At the conclusion of the interview, the Examiner agreed that the references do not disclose, "evaluating," as recited in claim 1. The Examiner stated that the Reply filed on August 24, 2010 overcame the rejections and the Office Action mailed June 24, 2010 would be

withdrawn. As indicated in the Notice mailed on December 20, 2010, the Office Action was withdrawn.

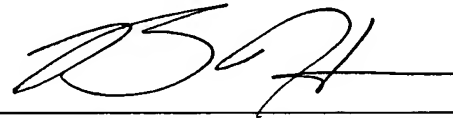
Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



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DJD/BMH/mas

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